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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/045,086	01/15/2002	Shinya Kano	VX022402	2617

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EXAMINER

LEHNER, WILLIAM P

ART UNIT	PAPER NUMBER
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2671

DATE MAILED: 12/05/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/045,086

Applicant(s)

KANO, SHINYA

Examiner

William P Lehner

Art Unit

2671

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2, and 4-6 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 3 is/are allowed.
- 6) ☒ Claim(s) 1,2 and 4-6 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

The preliminary amendments filed on 1/15/02 have been received and entered.

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
2. Claims 4-6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The language is not grammatical.
3. It is unclear what "when only the first part is integrated..." means. The examiner does not know which elements after this phrase are being referred to and which elements are not.
4. How does the stored data delete the ID of the second part? It is unclear if "another part" includes or excludes the "second part".

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Art Unit: 2671

2. Claims 1, 2, 4, and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Bentley (6063128).

3. In regard to claims 1 and 2, A three-dimensional CAD system, Bentley describes a 3D CAD system (column 1, lines 33-35). This patent describes a computerized modeling system ("CMS"), which is a traditional CAD with additional functionality. The CMS described in the background applies to the invention of reference.

4. Which allots identification IDs to respective component parts, Bentley allocates IDs to component parts (FIG 8, element 70).

5. References to already overlaid parts to overlay parts, CADs model parts that are connected to other parts. These components are geometric and they have relationships to other components (column 1, lines 43-52). So to configure an original three-dimensional model, copies the original three-dimensional model, The model can be copied (column 11, lines 59-62) and integrated (column 1, line 63 – column 2, line 4).

6. Concurrently performs addition of parts to the original three-dimensional model and addition of parts to the copied three-dimensional model, to integrate the original three-dimensional model and the copied three-dimensional model into the same three-dimensional model; Parts may be added or modified by multiple users working simultaneously, and the model is kept in a consistent state at all

Art Unit: 2671

times (column 2, lines 51- 58). A constant consistent state means that there is the model is always integrated with no redundancies and no contradictions.

7. A first flag is given to the identification ID of the part configuring the original three-dimensional model at a time when the original three-dimensional model is copied; After copying, a dirty bit or change bit flag is given to the descriptor identifying the object (column 28, lines 13-31 and FIG 12).

8. A second flag is given to the identification ID of the part to be added to the copied three-dimensional model after the original three-dimensional model is copied; During the copy, a copyOkay flag is given (column 34, line 40).

9. When the processing of adding the parts to the original three-dimensional model and the processing of adding the parts to the copied three-dimensional model are performed and there is a difference in the contents of the parts having the same identification ID, the identification ID is changed according to the flag so that the identification ID of the part added to the original three-dimensional model and the identification ID of the part added to the copied three-dimensional model become different, and the original three-dimensional model and the copied three-dimensional model are integrated into the same three-dimensional model. Object descriptors are temporary identification IDs

Art Unit: 2671

(column 41, lines 9-11). These descriptors only last the lifetime of the user's session (column 42, lines 55-56). Multiple user sessions will have the same object descriptors, but they will correspond to different contents. The persistence manager assigns each object a unique, persistent identity (column 43, lines 1-2). The new IDs is given to the part added to the original model and the part added to the copied model.

10. In regard to claims 4 and 5, The three-dimensional CAD system according to claim 1, wherein: the first part has a relationship to refer to the second part, A first object refers to a second object (column 40, lines 48-50).

11. When only the first part of these parts is integrated; When the first object has been modified, it must go through a validation process. Dependant second objects may or may not have been modified. Only objects that have been modified go through the validation process (column 41, line 62 – column 42, line 7).

12. Data that the identification ID of the second part is unnecessary is stored, Pointers to the target object are stored unnecessarily (column 41, lines 24-30).

13. The identification IDs of both of the parts are changed; Note the above rejection to claims 1 and 2. The temporary object descriptors are changed to a new unique, persistent identity.

14. The identification ID of the second part is deleted according to the stored data; and the reference relationship is changed so that the first part refers to another part. The target

Art Unit: 2671

object may be deleted and the reference relationship is then changed (column 41, lines 51-60).

Allowable Subject Matter

15. Claim 3 is allowable.
16. Claim 6 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William P Lehner whose telephone number is 703-305-0682. The examiner can normally be reached on 8:30 - 5 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Zimmerman can be reached on 703-305-9798. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-0377.

WPL


JOSEPH MANCUSO
PRIMARY EXAMINER